

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY SIDES,

Plaintiff,

v.

OFFICER CHERRY; OFFICER BROWN;  
OFFICER RUSH; OFFICER JULIANI,

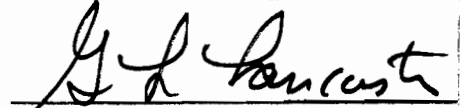
Defendants.

)  
) CIVIL ACTION No. 03-494

)  
) Judge Gary L. Lancaster

)  
) Electronically Filed

AND NOW, THIS 4<sup>th</sup> DAY OF  
March '08, IT IS HEREBY  
ORDERED THAT THE WITHIN  
MOTION IS DENIED.

  
GARY L. LANCASTER,  
UNITED STATES DISTRICT JUDGE

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**PLAINTIFF'S MOTION FOR A NEW TRIAL**

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Plaintiff, Anthony Sides, by and through his counsel, SCHNADER HARRISON  
SEGAL & LEWIS LLP, respectfully moves pursuant to Rule 59 of the Federal Rules of Civil  
Procedure for a new trial on all of Plaintiff's claims for liability and damages.

**Procedural Background**

Plaintiff filed a motion with this Court requesting an extension of the time to file a post-trial motion. This Court granted such motion on February 17, 2008, and allowed Plaintiff to file this post-trial motion by March 3, 2008. Plaintiff requested such an extension because he is currently incarcerated in Camp Hill, PA, and is unable to communicate with his counsel except by mail. It was not possible for counsel to communicate meaningfully with Plaintiff in order to inform him of his appeal rights, and then file appropriate post-trial motions within the time allotted by the Federal Rules of Civil Procedure. A denial of such an extension of time would